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17. ABSTRACT (MAX. 250 WORDS) The migratory farm labor force in the United States is generally composed of underemployed workers who are primarily from the Negro, Spanish-American, and Indian minority groups of rural areas. These workers migrate in search of employment because of their low earning potential in their home areas. Although they help satisfy the critical demand for short-term seasonal labor, problems arise because communities requiring their services cannot meet their needs for schools, hospitals, churches, recreational areas, and homes. These problems are further compounded by mobility, which adds to expenses and reduces income while contributing to illiteracy, poor working conditions, inadequate housing, and lack of sanitation.

Migrants do not have the protection of Federal minimum wage laws nor the benefits of workmen's compensation though some states are moving toward extension of coverage. Trouble in securing proper returns from crew leaders and some farm employers has led to a lack of social security protection. Minimum age for child labor varies from state to state, the lowest age being 12. Several states and the Interstate Commerce Commission have transportation laws. More are needed. Migrants have many health problems associated with low-income groups, high incidence of disease, and high infant and fetal mortality rates. More health education and preventive services are needed; health records should be carried. Housing and sanitation have been improved, but are still below acceptable standards. Migrants have less access than permanent residents to Federal health care. Illiteracy is high because few go beyond an elementary school education. Records, appropriate programs, and public responsibility are needed to increase the standards of migratory laborers.

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MIGRATORY LABOR IN THE WEST

U. S. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
Office of Education

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Background Information

for

The Western Interstate Conference on Migratory Labor

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MIGRATORY LABOR IN THE WEST

The Migrant Worker Problem

The migratory farm labor force in the United States is composed mainly of unemployed or underemployed workers, mostly Negro and Spanish-American, from the rural areas of the country. Because of their low earning potential in their "home" areas and states, these workers migrate in search of better employment opportunities. Over the years, the availability of these workers has helped satisfy the critical demand for short-term seasonal labor that exists each year in many of the nation's farm areas.

Problems arise from the fact that communities that require the services of migrant workers do not -- and in many cases cannot -- meet their living needs. Rural communities tend to be small in size and limited in wealth. Schools, hospitals, churches, recreational areas, homes and other community facilities and services are established and operated by an for year-round residents and cannot easily be expanded or adapted to meet short-term migrant needs. Community health and social services may be denied migrants because they are not residents. And the community is inclined to look on the migrant as an outsider and to refuse him acceptance.

The pattern of migrant life and work, on the other hand, creates problems that defy solution by any single community, or even by a single state. While the migrant contributes vital labor and a good part of his income to the locality where he works, he does not pay the kind of taxes that support community facilities and services. Conversely, much of the migrant work force is composed of minority groups -- Negroes, Spanish-Americans and Indians -- that frequently are subject to discrimination and lack of opportunity. These difficulties are compounded further by mobility, which adds to expenses and reduces income while contributing to illiteracy, poor working conditions, inadequate housing, and lack of sanitation. Most in need of health and social services and protection against unemployment crises, the migrant is covered by few of the social and economic welfare programs available to others.

The background information on migrant workers that follows is organized for purposes of presentation on the basis of problem areas -- employment and transportation, health, housing, and sanitation, etc. However, it should be emphasized that none of these problems exists in isolation; nearly every problem area is an inseparable part of every other problem area.

Employment and Transportation

Migrant Labor in the West

Migrant labor contributes an important part of the seasonal work force in western agriculture. Bureau of Employment Security figures show that in mid-September 1959, close to 100,000 domestic migrants were at work in the West. This was about 25 per cent of the total seasonal farm employment in the region at the time; local workers accounted for another 49 per cent, and foreign workers for the remaining 26 per cent. In terms of the nation, the West employed 39 per cent of the domestic migrant labor force then working and 46 per cent of imported foreign workers.

The mid-September date is by no means the time of highest demand for migrant labor in each of the western states, and throughout the year countless other migrants had come and gone, so the actual number that worked some time during the year in the region is far in excess of 100,000. The time of peak migrant employment in the western states in 1959, and the estimated number of migrant employees from intra and interstate sources, are shown in the following table based on Bureau of Employment Security figures:

	Date of Peak Migrant Employment	Number of Migrant Workers		
		Total	Intra State	Inter State
Arizona 1/	Oct. 30	12,617	3,010	9,607
California	Aug. 31	59,650	39,550	20,100
Colorado	Aug. 31	10,056	2,932	7,124
Idaho	Oct. 15	8,875	860	7,885
Montana	Aug. 15	7,172	3,243	3,929
Nevada	Aug. 15	614	190	424
New Mexico	Oct. 15	1,506	668	838
Oregon	June 30	20,176	4,770	15,406
Utah	May 30	2,262	140	2,122
Washington	June 30	18,109	6,427	11,682
Wyoming	June 15	2,241	200	2,041

1/ Data for Arizona taken from 1958 report; 1959 information not available.

Some migrants are recruited directly by western employers, mainly from Texas, others are recruited through the Annual Worker Plan of the Bureau of Employment Security, but most migrants are free-wheeling crews and family groups. Lost time is more prevalent among the free-wheelers.

As to migrant income, 1957 data, the latest available, show that migrants in the West averaged earnings of $1,232 for 158 days of farm work during the year and earned another $222 from 28 days of non-farm work. Average total earnings of $1,454 for the migrant in the West compare with a national average total income of $859 for 131 days of farm and non-farm work. Higher earnings in the West are partly offset by higher living costs in the region.

Income Maintenance

Minimum Wage. Migratory farm labor, in fact all farm labor, does not have the protection of federal minimum wage legislation, and state legislation in general establishes no minimum wages for agriculture.

The minimum-wage laws of only Hawaii and Puerto Rico specifically apply to agricultural workers. In these two jurisdictions, specific wage rates are set for farm workers, and these apply to men, women, and minors. Hawaii sets $1.00 an hour and covers agricultural work in any work week in which the employer has 20 or more employees. In Puerto Rico, the statutory rates vary from 25 cents an hour to $5.50 a day for different kinds of agricultural work.

Laws of the District of Columbia and the seven states of California, Colorado, Kansas, Oregon, Utah, Washington and Wisconsin are assumed to be broad enough to cover agriculture. These laws apply to women and minors only. No minimum-wage rates are established by the laws, but they provide for setting such rates by administrative order. Only Wisconsin has issued an order applying specifically to agriculture. The order sets a rate of 50 cents an hour in industrialized agriculture for less than 45 hours a week, and for a week of 45 or more hours, a minimum of $9.50 with board and

lodging or $13.75 with board only.

Workmen's Compensation. This class of legislation, the first type of social insurance, began in the United States a half centry ago. But very little progress has been made in extending the benefits of this legislation to agricultural workers. The National Safety Council reports that during 1957 more deaths occurred to workers employed in agriculture than in any other major industry. The death rate per 100,000 workers was higher only in the mining and construction industries. During the same year, a total of 300,000 persons were injured in farm work accidents. Each year takes its toll of men, women and children, often in strawberry patches, potato fields and other places where it is hard to conceive fatal accidents happening.

In varying degrees, the states are moving toward the extension of coverage of their workmen's compensation laws to agriculture. The International Association of Industrial Accident Boards and Commissions has recommended such extensions, as have many state and national organizations.

Fifteen states and Puerto Rico have some specific coverage of agricultural workers. Only California, Connecticut, Hawaii, Ohio, Vermont and Puerto Rico, however, cover farm workers in the same manner as other workers. The Connecticut and Vermont laws are elective, under which workers are covered unless the employer "elects" not to come under the act.

The New Jersey workmen's compensation law, which is elective, is sufficiently broad to apply to farm workers, but it expressly provides that farmers are not required to carry insurance. The Massachusetts law provides coverage for nonseasonal workers and elective coverage for seasonal workers.

The other eight states (including Arizona and Wyoming in the West) provide coverage of agricultural workers engaged in specific farm occupations, usually those operating certain power machinery. Some of the laws are compulsory, some elective; in the West, Arizona's law is compulsory, Wyoming's elective. For further details, see "Status of Agricultural Workers under State and Federal Law," U.S. Department of Labor, Bureau of Labor Statistics, August 1959.

Unemployment Insurance. For any wage-earning group, the problem of income during involuntary unemployment is a serious one. Under the federal-state program for unemployment insurance, about 80 per cent of the nation's wage and salary workers have some protection against complete loss of income when no work is available. Agricultural workers, both year-round and migratory, are among the 20 per cent excluded from unemployment insurance coverage. With no protection against unemployment and with the lowest income of any group in the United States, migrant agricultural workers suffer severe hardships during substantial periods of unemployment.

Social Security. Under 1956 amendments to the Old Age and Survivors' Insurance Act, a person employed in farm work or other kinds of agricultural enterprises earns social security credits on his work for each farm operator who pays him $150 (formerly $100) or more cash wages during a year. The amendments also extend social security credits to cash payments figured at time rates that cover 20 or more days of work for the same employer during a year. A crew leader is considered the employer of farm workers if he furnishes and pays them, unless he and the farmer have entered into a written agreement showing the crew members to be employees of the farmer.

Application of the broader entitlement, however, remains a problem. The Bureau of Old Age and Survivors' Insurance has trouble securing proper returns from crew leaders and some farm employers. Also, it is difficult to get at the migrant worker and educate him to his rights and responsibilities under the act. Problems with

respect to crew leaders frequently are enhanced by their lack of identification as such. State laws requiring the registration of crew leaders are a help in this regard.

Child Labor. Fourteen states, Puerto Rico and the District of Columbia, have laws that set a minimum age for agricultural work during school hours; the age varies from 14 to 16. Western states included are California, minimum 15, except 14 under certain conditions; and Utah, 14 years.

The Child Labor Laws of eight states set a minimum age for employment outside school hours. The minimum is generally 14, but in California and New Jersey, it is 12, and in Utah, 10. See "Status of Agricultural Workers" for further details.

In addition to state laws, two federal laws affect the employment of children in agriculture. The Fair Labor Standards Act establishes a 16-year minimum age for agricultural employment during school hours. Under the Sugar Act, if producers are to obtain maximum benefits, they may not employ children under 14, or permit thos of 14 and 15 to work more than eight hours a day in the cultivation or harvesting of sugar beets or sugar cane.

Mainly because of accidents, but also because of other factors such as fatigue, misadventure, etc., S. 2141 has been introduced in Congress by Senator McNamara of Michigan to extend federal coverage to out-of-school hours. The 17 states participating in the Mid-American Conference on Migratory Labor in St. Louis last April recommended that a minimum age be established by federal legislation and that special attention be given to the number of hours and conditions of employment under which minors are employed.

Crew Leaders. It is estimated that a large majority of migrants secure their jobs and travel under the crew leader system. The abuses connected with this system -- misrepresentation of wages and conditions of work, excessive charges and exploitation -- have been highlighted in every study of the problems of migrants. To help correct these abuses, several states require the registration of crew leaders or labor contractors and have issued regulations for their operation. In the West, the states of California, Oregon and Washington have such regulations. Many national and state organizations have urged the national registration of crew leaders; at this time there are two bills in Congress to achieve such purpose -- S. 1778 introduced by Senators Javits and Keating of New York, and S. 2498 introduced by Senator Williams of New Jersey.

Transportation

Annually, hundreds of thousands of agricultural migrants travel to work areas all over the United States. As indicated earlier, the western states get a high proportion of these migrants. Many of them are transported in trucks and buses by crew leaders or labor contractors. Each year some of these vehicles are involved in tragic accidents, often because of defective equipment, excessive driving, overcrowding, etc.

Six states -- including California and Oregon in the West -- have established laws or regulations setting safety standards for vehicles used in the transportation of farm workers, and for the operation of such vehicles.

Transportation of migrant crews in trucks and buses for more than 75 miles and across a state line is subject to the Federal Interstate Commerce Commission Motor Carrier Safety Regulations of 1957, and amendments.

It is generally recognized that state and federal cooperation is necessary if the new ICC regulations are to be enforced; also, that states should consider enactment of generally uniform legislation in substantial conformity with the ICC regulations. Suggested regulations for the transportation of agricultural workers have been developed and made available to the states by the President's Committee on Migratory Labor.

Requirements of the federal law in respect to long distance interstate travel have presented a need for rest stop facilities on major migratory routes. On the request of the President's Committee on Migratory Labor, the Department of Labor is in the process of developing proposals in regard to rest stop facilities. A tentative site for one such installation in the West is Moriarty, New Mexico, where a Farm Labor Information Station has already been established. Other possible sites also are being explored.

Health, Housing and Sanitation, and Welfare

Health

Various studies show that migrants have essentially the same health problems as the stable population of similar socio-economic and ethnic groups, but the problems of the migrant are aggravated by his way of life. There is no adequate data on the incidence of communicable diseases among migrants, but a 1955 survey in the Lower Snake River Valley in Idaho and Oregon found tuberculosis and venereal disease to be 7 to 13 times more prevalent among migrants than among the resident population. Two cases of smallpox were reported only two years ago in one of the northern states among Spanish-speaking people from Texas. Outbreaks of diphtheria and whooping cough also have occurred among migrant families. Infectious and parasitic diseases caused by poor food handling, improper diet, inadequate housing and unsanitary living conditions are other common problems in migrant communities.

A study by a public health team working directly with migrant agricultural families in Palm Beach County, Florida, reports in Migrant Project 1959 that the health of children seen in family clinics is better than would be expected for this group. However, the report states that this condition probably is attributable to elimination of the less fit through a high rate of fetal loss, high neonatal and infant death rates, and early childhood deaths from illnesses that did not receive proper medical attention.

Public Health Facilities and Services. Of the 411 counties in the 11 western states, 169 are served by full-time local health departments. They perform a variety of functions for the general public, including communicable disease control, maternal and child health care, chronic disease control, mental health services, environmental health services, health education, vital statistics and public health laboratory services.

Many adaptations have been made by local health departments to try to fit these health programs to migrants, but the attempts encounter a variety of difficulties. Migrants in many states cannot fulfill the residence requirements for obtaining preventive and curative services at public expense. While emergency care generally is made available regardless of residence, attention to less severe illnesses and chronic conditions that impair the health and productivity of the migrant tend to be neglected. Where services are available to migrants, their use of the treatment facility may be limited by its hours of operation and distance from migrant work sites. Home nursing care is limited, if available at all. When a migrant seeks treatment, he seldom finds the same kind and extent of services offered or the same conditions prevailing in any two places he may live and work during the year, especially if his work itinerary covers two or more states. And after getting medical attention, the migrant often must move on to another work location before diagnosis or treatment is completed.

Financing and Staff Problems. Financing and staff problems constitute another difficulty in attempting to provide the same general services for agricultural migrants as are available for the resident population. Adequate provisions rarely are made to take care of the added load imposed by the annual influx of migratory agricultural laborers, although some local governments are assuming greater responsibility for financial support of services to migrants, in line with the essential contribution they make to the local economy. However, the financial burden is considerable, as the number of migrants needed to fulfill peak labor requirements may equal or surpass the resident,

year-round population in many areas. In recognition of this fact, some states are appropriating funds to supplement local financial support for migrant services. Some demonstration and research projects are supported by special grants of federal funds and assisted with loans of federal personnel. With or without additional funds, local health departments generally can improve essential services by better organization and adaptation of programs, maximum utilization of staff and establishment of priorities.

But the problem remains, that the recruiting and training of adequate personnel in migrant health work is complicated by the fact that the positions are only temporary, yet they have demanding qualifications. Public health workers, in the field especially, must have the ability and the willingness to adapt to the conditions of the migrant, get through to him, learn and understand his position and attitudes, motivate him to accept and use services that are available to him, and teach in a way he can understand. Because the West has large numbers of Spanish-speaking migrants who do not understand English, there is need for liaison workers and at least part of the professional staff to be bilingual. Educational materials have to be written in Spanish and English and carefully pre-tested to make sure they are understandable and acceptable to the target group.

Preventive Services. One of the basic health needs of the migrant is for training and care in the prevention of disease or other illness. This includes the control of communicable diseases through immunization, screening and treatment; maternal and child health services through well child and prenatal and postnatal clinics; and education in nutrition, sanitation, good health habits and the availability and use of health services.

Information indicates that public health and community programs generally are not meeting these needs. A 1957 Idaho study indicated that practically none of the migrant children had received immunization treatment against common communicable diseases; an Oregon study in 1958 found a level of immunization well below that considered adequate to protect against an outbreak of disease. Failure to make services as basic as well child care and prenatal and postnatal care reasonably available to migrant families in part reflects the difficulty health services encounter in trying to keep up with child population growth in the West. But the situation also is related to the other problems of availability and accessibility of facilities and residence requirements for their use that limit other basic services to migrant groups.

Home areas logically might be assumed to have the paramount responsibility for the preventive side of communicable disease control -- for immunization programs and for the detection of tuberculosis, venereal disease and other communicable diseases. However, even in these areas, local services are oriented to the year-round residents. Immunization programs in the local schools and clinics of the home areas may miss the migrant child whose family is on the move just as local programs in work areas miss him. The paramount responsibility of the home area for such programs may be debated also from the point of view that migrant families often spend most of the year outside the home area and make their greatest economic contribution to local economies in other areas.

Health Education. One of the most extensive programs of attempting to reach migrant agricultural workers with health education is reported in the previously mentioned Migrant Project 1959. The report shows that migrants are educable if programming is flexibly adapted to cultural and social forces in the lives of migrants. Basic to the programming is the recognition of migrant needs for status, recognition and socialization. Personal communication is the most effective method of education. Crew leaders are an important key to communication and can be interested in attending group meetings to prepare themselves for assuming a role in health education. Mothers can be interested in forming health clubs for discussion of topics of concern to the group. The subject of nutrition has high interest for migrant women. Direct mail -- letters from the clinic and club newsletters -- confers status on the recipient and is a significantly useful

method of arousing and maintaining interest in health education. Pamphlets and posters have a less commanding influence, and must be written in language understandable to the migrant to have any use at all. Churches and clubs are ineffective as channels of communication to the migrant as he rarely participates in community organizations; the migrant is essentially groupless. Although migrants have very restricted incomes, they can be taught to budget for the necessities of life, including medical care or a portion of it.

A number of devices have been found useful in meeting the problem of lack of continuity of health care and treatment of migrants. Brief health records will be carried and maintained by migrants if the record is no larger than wallet size. It has proved useable for transmitting information to health authorities in other areas through which the migrant passes. Crew leaders often will assume responsibility for seeing that crew members carry out instructions for follow-up of diagnosis or treatment that is begun but cannot be completed in a particular area before the migrant moves on. Letters can be sent to health departments, physicians and hospitals in areas to which migrants are known to be headed. Migrant patients, themselves, will carry out instructions if care is taken in giving them and being sure they are understood. In this regard, the use of intermediary persons such as liaison health workers, crew leaders or other members of the migrant community is helpful.

In addition to the health education of migrants, there is need to educate residents of communities using migrants to accept them into the community and provide necessary services for them. The coordinated program of health, school and welfare agencies and community groups in Fresno County, California, is an example of how this kind of education can be accomplished.

Housing

In spite of improvements in recent years, there is not enough housing in many areas for domestic migratory agricultural workers, and much of the available housing is below minimum acceptable standards. The income of the migrant worker is too low to permit him to compete for acceptable housing in the regular market; the economic demand for migrant housing is essentially a grower demand. Migrant housing provided on the farm by individual farmers or at central locations in farm areas by grower associations or cooperatives is part of the agricultural employers' cost of operation. The grower ordinarily can be expected to increase his costs voluntarily only if there is some advantage to be gained. While many farm employers find that good housing attracts better, more dependable workers, the grower must consider how far his operation can afford, and benefit from, the additional expense of improved migrant housing that stands idle much of the year.

Although public pressure has been found to be one fairly effective means of achieving better housing for migrant workers, the most effective approach seems to be through state legislation that establishes minimum housing standards that all migrant housing must meet.

"Suggested Language for Regulation of Agricultural Camps" developed by the President's Committee on Migratory Labor in consultation with state officials offers a guide for establishing standards that has been used extensively by the states. Twenty-three states have laws or regulations that apply to migrant agricultural labor camps; eight of these states are in the West -- Arizona, California, Colorado, Nevada, New Mexico, Oregon, Washington and Wyoming. The regulations range from limited to comprehensive, and usually include requirements as to sanitation, housing and location and construction of camps.

Sanitation

Adequate environmental sanitation is part of both the housing and general health problems. Illnesses common to primitive areas prevail generally in migrant communities, largely the result of the lack of sanitary practices and facilities at work and camp sites. Nearly every migrant housing survey shows that the water supply, waste disposal system and other facilities for cleanliness and health are inadequate or lacking. The same conditions in the field pose a hazard not only to the health of the migrant, but also to the health of the consumers of fresh fruits and vegetables.

Failure to provide proper sanitary facilities stems from the same cost of operation factors that limit the availability and adequacy of housing for migrants. Again, regulatory legislation and vigorous enforcement are necessary to improve the situation. The President's Committee publication on "Suggested Language for Regulation of Agricultural Camps" provides a guide in establishing standards for snaitation as well as for housing.

But the existence and enforcement of sanitary standards by state and local health agencies are not enough; a healthful sanitary environment requires also the support of the employer, the community, civic organizations and the migrants themselves. Where adequate facilities are made available, the migrants' failure to use them or maintain them in good order is a common complaint. Many migrants never have experienced living in adequate housing, and, so, are ignorant of the use of normal sanitary facilities. Education in this regard should be an essential part of any health training program for migrants.

Welfare

As a group, migrant workers and their families have less access than permanent residents to community health and welfare services. This situation obtains because of a number of reasons: (1) Serious inadequacies or total lack of certain types of services in some areas which have a heavy influx of migrants. (2) Problems in gearing local services to meet the needs of a fluctuating migrant population. (3) Wide variations in residence requirements from state to state, and from program to program within states. (4) Lack of recognition and acceptance of responsibility by local communities for extension of services to migrants.

There are no federal provisions for defraying medical costs of indigent adult migrants, although there are some provisions for children, including those of migrant parents. Few migrants have health coverage or can afford it. A few states will bear medical costs of indigent migrants; most states will not do so because of residence restrictions.

Many national organizations, both governmental and non-governmental, have urged the removal or mitigation of restrictive residence requirements. Among those who advocate this action are: The President's Committee on Migratory Labor, the Governors' Conference, the National Council of the Churches of Christ, the National Travelers Aid Association, the National Social Welfare Assembly, the National Advisory Committee on Farm Labor, the National Child Labor Committee, the National Council on Agricultural Life and Labor, the National Council of Catholic Women, the National Consumers League, the (1959) Mid-American Conference on Migratory Labor (19 states), etc.

The 1959 national Governors' Conference in a resolution on "Residence Requirements for Public Assistance" resolved, in part, that:

> "The legislatures of the several states be urged to ratify the interstate compact contemplated in the Committee's report, which compact provides that persons moving from one party state to another shall not

be denied some form of aid if they are in need, irrespective of residence requirements otherwise existing; and

The individual Governors be requested to support the findings and recommendations of the Committee's report in their messages to the legislatures."

Education and Community Services

Education

Illiteracy is unusually high among migrant children; they rarely go beyond elementary school; many have not gone beyond the fifth grade. There is not so much the lack of opportunity for education as for an adequate education. The education migrant children receive is piece-meal, here and there, lacking in continuity and orderly development. One of the results is serious educational retardation among migrant children. A recent study by the Wage and Hour Division of the Department of Labor shows that of 2466 migrant children found working in the crops during school hours, 70 per cent were retarded. This is a much higher percentage of retardation that found for resident children who likewise were working during school hours.

One of the problems is getting the school systems to take responsibility for educating children of migrant agricultural workers. Enforcement of laws against employment of children under 14 during school hours and of compulsory school attendance statutes in some localities have brought increasing numbers of children into the classrooms of these areas. On the other hand, migrant parents need to accept responsibility for their children's attendance at school. If responsibility on both sides were more carefully defined and accepted, the solution to numerous specific problems could be found more readily.

One of the specific problems is that of organizing and financing the schools for a fluctuating school population. The influx of migrant children into a community places a strain on available educational resources. If serious efforts are made to get the migrant children to attend school, the community must provide the additional classroom space and teaching time without any increase in the tax base that supports public education.

Another specific problem is that of providing appropriate school programs to prevent and overcome serious educational retardation of migrant children. Their tendency to fall behind their age group in school is caused not only by more frequent absences, but also by the necessity of attending several schools each year. Every change in schools repeats the problems of adjusting to new texts, new methods of learning, and new classroom situations. Another fact in educational retardation is that many migrant children have cultural backgrounds different from the dominant culture. Many excellent teachers experience difficulty in teaching these children and in determining what to teach a child who attends school from two to six weeks in work areas or even from December to April in home areas.

Attempts to have children carry school records as an aid to placement and evaluation of educational attainment and needs have not proved too successful. More success has been achieved with summer school programs. They are operated in Colorado, Michigan, New Jersey and New York. At least four states -- New Jersey, New York, Ohio and Oregon -- appropriated funds in 1959 specifically for the education of migrant children. Colorado is one of the first states to employ a person full time in the Department of Education under a grant from a private organization to deal with migrant children.

While the federal government is not responsible for the provision and operation of public schools, it has undertaken to stimulate local interest in providing them for migrant children, to conduct needed research, to furnish consultation services, and to publish information useful to state and local leaders and institutions at work on the problem. Through financial assistance from the United States Office of Education, cooperative research projects on various aspects of educating migrant children are being carried out by the Colorado State Department of Education, Western Michigan University, and Southern Illinois University.

The high rate of illiteracy and general lack of education among migrants impair their living and earning capacity throughout adult life. To some extent, these conditions can be improved through adult education programs. Information on health, sanitation, nutrition and the availability of health and welfare services would contribute to better living conditions and health. Economic information on job opportunities and family budgeting would help raise living standards. Education in elementary work skills or vocational training might improve significantly the ability of some migrants to settle down in more productive work, a strong tendency among migrants whenever they find opportunity to earn a decent year-round living.

Community Services

Across the nation, many localities are organized to provide community services to migrants working in their neighborhoods. The West has a good many such communities, where all or some of the following services are included in the programs: (1) Health Services: T.B. and V.D. surveys in cooperation with local and state health departments, and the use of mobile X-Rays, immunization, and cooperation with the health departments and local physicians in setting up policies and procedures for medical services to migrants; (2) recreation: movies, sports, talent nights, crafts, libraries and others; (3) educational opportunities for both young and adults; and (4) religious activities, including worship services, church school instruction, and visitations to homes and hospitals.

The community organizations -- Migrant Committees or Councils -- usually include representatives of all local groups that influence community opinion, e.g., public schools, county boards of education, Agricultural Extension Service (including Home Economy Division), recreational authorities, police and sheriff's departments, welfare agencies, health departments, religious groups and allied councils, Red Cross and social agencies, 4-H Clubs, Girl Scouts, Boy Scouts, Camp Fire Girls, growers and producers, Chambers of Commerce, organized farm groups and labor groups.

State and Federal Activities

State Studies and Actions

At the close of 1959, more than half the states -- including Arizona, Colorado, Idaho, Oregon, Texas and Washington among the states represented at the Conference -- had official state committees on migratory labor. In general, the committees have the common purpose of assuring that migratory workers in the respective states work and live under conditions meeting satisfactory standards of safety, sanitation, health and welfare. In working toward this common goal, the committees strive for improved coordination of departmental services to migrants and for the enactment of laws and regulations deemed necessary to meet the state objectives regarding migrant labor.

Because migrant agricultural workers customarily live and work in several states year after year, some migrant problems are beyond solution by any state working alone. In some cases, federal legislation may be recommended; in others, formal and informal arrangements among the states or agreement on desirable standards that each state should try to achieve may provide the best answer.

In the past few years, state legislatures have given increasing attention to the farm labor problem. Measures pertaining to farm workers were introduced in 18 states and enacted in 11 during 1959. Among the western states, Oregon took action along several lines, establishing sanitary standards for farm labor camps, a pilot program for educating children of migrant farm workers, and a licensing procedure for farm labor contractors. California tightened safety regulations governing the transportation of farm workers, instituted a filing fee for farm labor contractors, and amended the workmen's compensation laws to extend compulsory coverage to farm laborers. Wyoming moved in the other direction, changing state workmen's compensation statutes to exclude farm workers from the compulsory coverage they formerly had and make their coverage elective by the employer.

In 1959 sessions, Nevada provided for the licensing and bonding of migrant farm labor contractors. Colorado enacted a statute requiring labor contractors and crew leaders to furnish migrant workers with a statement of their earnings and deductions.

Federal-State Responsibility

Concerning federal-state responsibility for migrant labor problems, recommendations for federal and state action were endorsed in May 1959 by the Joint Federal-State Action Committee. The Committee, which is composed of federal cabinet officials and representatives of the Governors' Conference, reached the following conclusions:

On housing: "all migrant-using states should adopt and enforce housing regulations for migrant workers at least equal to those recommended by the President's Committee on Migratory Labor."

On transportation: (1) "states should adopt and enforce regulations for trucks and buses used to transport migrant workers"; (2) "ICC should enforce its own regulations"; and (3) "state and federal governments should cooperate in the establishment of rest stops along major migrant routes."

On crew leaders: "the federal government should license crew leaders."

On child labor and child care: (1) "states which have not already done so should consider barring the use of young children for hire in farm labor"; and (2) "local, state and federal governments should extend their current cooperation in providing adequate child care and schooling facilities."

On wages: "states should consider enacting minimum wage legislation to cover farm labor."

On organization: "states which use migrant labor and have not already done so should establish Governor's Committees on Migratory Labor," and "where additional staff support is needed, bureaus of migratory labor should be established in state departments of labor."

On joint federal-state cooperation: "the staffs of the Council of State Governments and the President's Committee on Migratory Labor should jointly develop model legislation, state and federal, to accomplish the above objectives."

The Joint Federal-State Action Committee has indicated it will disband as soon as the newly formed Advisory Commission on Intergovernmental Relations begins to function. The new group, which includes federal and state legislators and city and county officials as well as federal cabinet officials and members of the Governors' Conference, is expected to take up the migratory labor problem among other matters that have been the subject of discussion by the Joint Federal-State Action Committee.

Proposed Federal Legislation

A number of bills have been introduced in the current Congress concerning migrant farm labor. The bills involved are:

Crew Leader Registration. S. 1778 (Javits and Keating, New York) and S. 2498 (Williams, New Jersey). These bills would provide for the registration of migrant crew leaders.

Migrant Education. S. 2864 (Williams, New Jersey) would authorize grants-in-aid to local education agencies to assist them in providing education to the children of migrant agricultural workers. S. 2865 (Williams, New Jersey) would authorize a grant-in-aid program for adult education for migrant agricultural workers. H.R. 9872 (Green, Oregon) contains provisions for both child and adult education grants programs and a fellowship program for students studying the special problems of educating children of migrant workers.

Housing. S. 2928 (Williams, New Jersey) would provide federal assistance through loans for migrant farm labor housing.

Minimum Wage. S. 1085 (McNamara, Michigan and Clark, Pennsylvania) would establish a minimum wage for those farms which use more than 2,244 man-days a year of migratory labor. The beginning minimum is 75 cents an hour, which increases over a four-year period to the standard federal minimum wage -- currently $1.00 an hour.

Child Labor. S. 2141 (McNamara, Michigan) would bring child labor used in agriculture under the provisions of the Fair Labor Standards Act.

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